



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

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Lewis Bart Stone, Esq., Treasurer
New York Republican Federal Campaign Committee
c/o Rogers & Wells, 200 Park Avenue
New York, NY 10166

APR 20 1994

Identification Number: C00055582

Reference: Mid-Year Report (1/1/93-6/30/93)

Dear Mr. Stone:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-The identification of each contributor, including the person's occupation and name of employer, must be provided if the person has contributed in excess of \$200 in the aggregate during the calendar year. Please amend Schedule A supporting Line 11(a)(i) for each entry lacking a contributor's name of employer and occupation.

Note: If your committee has made attempts, either by a written request or by an oral request documented in writing to obtain this information from each contributor, your committee may have exercised "best efforts." Under revised 11 CFR 104.7(b), such effort shall consist of an initial clear and conspicuous request for the name, mailing address, occupation, and name of employer of each individual who has contributed over \$200 in the calendar year which informs the contributor that the reporting of such information is required by law. If necessary, your committee must make a written follow-up request or an oral follow-up request documented in writing, within thirty days with no additional solicitation. Subsequently, the committee should report any changes provided by the contributor or any additional information which is in the committee's records. If you believe that your committee satisfies the "best efforts" provision, you should provide a copy of your solicitation or an explanation of the method(s) used to obtain contribution information. Clarification regarding "best efforts" should be disclosed during each two year election cycle beginning with the first report filed in the non-election year. 11 CFR §104.3(a)(4)(i)

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-Your report disclosed a category of financial activity that has been reflected on the wrong line of the Detailed Summary Page. Contributions to non-federal organizations should be properly disclosed on a separate Schedule B, supporting Line 29 of the Detailed Summary Page. Please refer to the instructions contained on the forms to determine the proper categorization when preparing your next filing.

-A political committee that has established separate federal and non-federal accounts under 11 CFR §102.5 must pay the entire amount of allocable expenses from either its federal account or a separately established allocation account. (11 CFR §106.5(g)) Your report appears to disclose a failure to comply with this requirement. The Commission recommends that you reimburse your non-federal account for the federal share of any allocable expenses which were not paid by the federal account.

Please provide a photocopy of your check for any reimbursement. In addition, the Commission recommends that your committee establish procedures to ensure future compliance with the allocation regulations.

Although the Commission may take further legal steps concerning this matter, your prompt action will be taken into consideration.

-Schedule H3 discloses receipt of \$83,712.13 from your non-federal account for a fundraising event(s) which is listed as 100% non-federal on Schedules H2 and H4. A committee is permitted to pay the entire amount of an allocable activity from its federal account and receive a transfer(s) from its non-federal account solely to cover the non-federal share of the allocable expense(s). 11 CFR §106.5(g)(i). However, a 100% non-federal fundraising event does not fall within the definitions of an allocable expense, and constitutes an impermissible transfer of funds received by your federal account from your non-federal account.

The Commission recommends you immediately transfer the total amount received by your federal account back to your non-federal account. Although the Commission may take further legal action concerning this prohibited activity, your prompt action will be taken into consideration.

-Schedules H2 and H4 indicate that the non-federal allocation for the "Empire Club event with Oliver North" fundraising costs is 31% or \$890.18. Schedule H3 of your report discloses a transfer-in of 100% or \$2,871.65 from your non-federal account for this fundraising

event. Please clarify this discrepancy and transfer the excessive non-federal amount back to the non-federal account, if appropriate.

A written response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 219-3580.

Sincerely,



Donald L. Averett
Senior Reports Analyst
Reports Analysis Division

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